

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Civil Action No: 05-11386 WGY

GANNON & SCOTT, INC.)
Plaintiffs)
VS.)
PEGGY TOLAN,)
ELIZABETH TOLAN &)
SARAH TOLAN,)
Defendants)

**DEFENDANT SARA TOLAN'S ANSWER TO
PLAINTIFF'S COMPLAINT FOR STATUTORY INTERPLEADER**

1. Defendant is without sufficient information to admit or deny the averments contained in Paragraph One.
2. Defendant admits the averments contained in Paragraph Two of Plaintiff's Complaint.
3. Defendant admits the averments contained in Paragraph Three of Plaintiff's Complaint.
4. Defendant admits the averments contained in Paragraph Four of Plaintiff's Complaint.
5. Defendant admits the averments contained in Paragraph Five of Plaintiff's Complaint.
6. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Six of Plaintiff's Complaint.
7. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Seven of Plaintiff's Complaint.
8. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Eight of Plaintiff's Complaint.
9. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Nine of Plaintiff's Complaint.
10. Defendant admits the averments contained in Paragraph Ten of Plaintiff's Complaint.

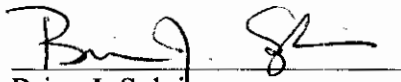
12. Defendant admits the averments contained in Paragraph Twelve of Plaintiff's Complaint.
13. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Thirteen of Plaintiff's Complaint.
14. Defendant is without sufficient information to admit or deny the averments contained in Paragraph Fourteen of Plaintiff's Complaint.
15. Defendant admits the averments contained in paragraph fifteen of Plaintiff's Complaint.

WHEREFORE, Defendant prays for the following relief:

1. That the Court determine that Defendant Sara Tolan is entitled to 50% of retirement plan proceeds of the late Edward Tolan;
2. That the Court determine that the Defendant Peggy Tolan is prohibited from claiming any of the proceeds of the Estate as a result of her criminal conduct;
3. That the Court determine that the Defendant Sara Tolan have any and all further relief to which she may be justly entitled;

Respectfully Submitted,
Sara Tolan
By Her Attorney

Dated July 13, 2005



Brian J. Sylvia
Watt & Sylvia
628 Pleasant Street
New Bedford, MA 02740
(508)984-1470
BBO # 567925